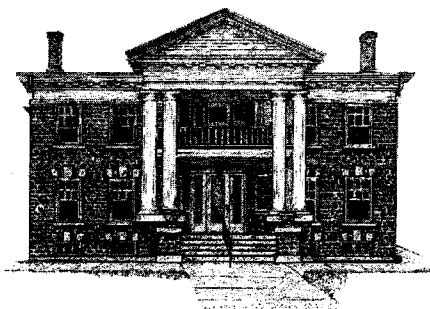


# HKB&G

# HUFFMAN, KELLEY, BROCK & GOTTSCHALK, LLC

## ATTORNEYS AT LAW

540 West Market Street • Lima, Ohio 45801  
(419) 227-3423 • Fax (419) 221-3592  
info@540westmarket.com • www.540westmarket.com



April 25, 2012

Received & Inspected  
APR 26 2012  
FCC Mail Room

FRED WEMMER GOODING  
(1914-1972)  
JOHN R. EVANS  
(1928-2000)  
LAWRENCE S. HUFFMAN  
C. BRADFORD KELLEY  
LAWRENCE A. HUFFMAN  
MATTHEW C. HUFFMAN  
JOHN C. HUFFMAN  
T. BLAIN BROCK II  
CRAIG A. GOTTSCHALK  
N. SHANNON BARTELS  
\*AARON L. BENSINGER  
\*Also licensed to practice in the State of CA

Roger Holberg, Attorney  
Office of the Secretary  
Federal Communications Commission  
Attention: Disability Rights Office, Room 3-B431  
9300 East Hampton Drive  
Capitol Heights, MD 20743

RE: Lima Baptist Temple – Closed Captioning Requirement  
982 Brower Road, Lima, Ohio 45801  
Case Identifier: CGB-CC-0218

Dear Mr. Holberg:

This letter and the attachments are intended as a supplement to the original petition for exemption filed on January 18, 2012. Pursuant to instructions there is an original and 2 copies of these materials included with this packet. The supplement contains a letter from Dr. Charles D. Miller, Senior Pastor of the Lima Baptist Temple which addresses several of the requirements for a supplemental filing including the history of the program; how the program has been and continues to be funded; and the use of the program. Secondly there is enclosed a Profit & Loss statement for the Lima Baptist Temple for the calendar year 2011. Finally, we include our two most recent estimates for closed captioning which set forth the cost to implement the closed captioning for the program in question.

We thank you for your consideration of this matter. We have attempted to provide all information requested and if you feel you are in need of additional information please feel free to contact us. We will be more than happy to provide any materials that you request or answer any additional questions.

Sincerely,

HUFFMAN, KELLEY,  
BROCK & GOTTSCHALK, LLC

By

T. Blain Brock, II

TBB:cms  
Encls.



April 20, 2012

To Whom It May Concern

About 42 years ago, Lima Baptist Temple became a pioneer in television ministry—reaching out to Lima and much of northwest Ohio. It quickly became a useful tool of the church in serving elderly and handicapped persons who were not physically able to attend church anywhere. Today it continues to serve even more elderly, shut-in, and isolated people than ever before.

We are asking for an exemption from compliance with FCC regulations that would require us to purchase closed-captioning service for our television ministry. While we understand the purpose and intention of the FCC, we feel that it creates an unnecessary hardship for our church that would prevent us from continuing this ministry. We are sure that it is not the intention of the FCC—to limit or restrict senior citizens from faith-based programming and pastoral care—so we have written this letter to explain what implications this regulation has on our ministry.

First, the regulation would require a significant financial liability in providing our service. We provide our program free of charge to our viewers. In fact, our program is an expense with no sources of revenue. It is supported from the donations of our membership. We do not have corporate or individual sponsors, we do not sell advertising or commercials, and we do not solicit donations from the general public. It is completely operated by volunteers who receive no compensation for their services. In order to comply with the FCC regulation, it could more than double our expenses to provide this service.

Second, the regulation would cause extensive hardship to our non-profit ministry. Lima has been hit especially hard since the mortgage crisis of 2008. Many of our members have needed our help and financial support to make it through times of unemployment. Additionally, rising costs of healthcare have created additional expenses for our church and school that combine to provide 42 jobs in our area. The expense of providing closed-captioning for our one-hour program would force us to have to cut several jobs.

Third, the regulation would isolate a significant part of our community from the free exercise of their religious beliefs. If we had to comply with the FCC in this matter, we would likely drop our program. As a result, thousands of elderly people would be cut off from the encouragement, hope, and blessing our broadcast provides. The broadcast allows us to still provide pastoral care to members who have attended here their entire adult lives, even though they are handicapped and unable to come and participate with us. Essentially, our program is a virtual, satellite campus and extension of our physical campus.

In conclusion, I ask the FCC to consider issuing an exemption for Lima Baptist Temple to continue providing our one-hour program without having to purchase closed-captioning services for it. Compliance with the regulation creates an expense we have no funds to cover, creates another hardship for our non-profit ministry, and would prevent senior citizens from receiving spiritual care they cannot receive through ordinary means. Ironically, compelled compliance with the Disability Act would result in us not being able to provide services for the disabled. We are sure this is not your intention and respectfully ask for an exemption.

Thank you for your time and consideration,

Dr. Charles D. Miller,  
Senior Pastor, Lima Baptist Temple

10:10 AM

April 24, 2012

Accrual Basis

# Lima Baptist Temple

## Profit & Loss

### January through December 2011

|                                 | Jan - Dec 11        |
|---------------------------------|---------------------|
| <b>Ordinary Income/Expense</b>  |                     |
| Income                          |                     |
| Huntington Investment           | 636.68              |
| Activity Income                 | 46,959.35           |
| General Offerings               | 916,086.68          |
| Interest                        | 281.42              |
| Miscellaneous Income            | 3,958.12            |
| Mission Offerings               | 153,762.34          |
| <b>Total Income</b>             | <b>1,121,684.59</b> |
| <b>Gross Profit</b>             | <b>1,121,684.59</b> |
| Expense                         |                     |
| 216 Student Ministry            | 21,097.10           |
| Adult Ministries -Senior Pastor | 2,374.61            |
| Adv/Promo                       | 4,280.15            |
| Reconciliation Discrepancies    | 0.05                |
| Audio Expense (Sound)           | 29,497.11           |
| Benevolence                     | 4,182.08            |
| Building Insurance              | 8,997.52            |
| Building Maintenance            | 85,580.46           |
| Building Renovations            | 19,067.90           |
| Childrens Ministry              | 11,151.86           |
| Church Supplies                 | 17,785.72           |
| CIFI                            | 7,128.05            |
| Connexion Small Group Ministry  | 387.60              |
| Employee Benefits               | 16,927.13           |
| Flowers                         | 1,613.91            |
| Girlfriends Unlimited           | 5,023.06            |
| Guest Speakers                  | 8,095.55            |
| Health Ins                      | 48,244.38           |
| Janitorial Supply               | 22,145.24           |
| Miscellaneous                   | 8,422.23            |
| Music - Orchestra               | 834.74              |
| Music -Worship Choir            | 5,348.79            |
| Nair Supplies                   | 2,782.51            |
| Office                          | 25,411.17           |
| Payroll Expenses                | 377,123.00          |
| Postage                         | 3,402.84            |
| Professional Fees               | 1,700.00            |
| Senior Saints Ministry          | 24,462.42           |
| Security                        | 9,122.72            |
| Taxes                           | 2,583.02            |
| TNT Ministry                    | 1,061.90            |
| TV / Video                      | 30,803.08           |
| Utilities                       | 79,502.99           |
| Vehicles                        | 19,743.58           |
| Foreign Missions                | 76,896.73           |
| USA Missions                    | 52,322.04           |
| LBT Home Missions               | 17,696.00           |
| <b>Total Expense</b>            | <b>1,052,799.24</b> |
| <b>Net Ordinary Income</b>      | <b>68,885.35</b>    |
| <b>Net Income</b>               | <b>68,885.35</b>    |

## Automated Captioning & Transcription Pricing

AST's CaptionSync web-automated captioning is straightforward and simple and significantly faster and less expensive than alternative captioning methods. Because CaptionSync is a web-based service, there is no software to purchase, and it is always available.

Simply upload your media to our CaptionSync server and select whether you want captioning, transcription, or both (a transcript is required in order to create caption output). The outputs you select are returned electronically -- no need to ship anything.

|  | <u>Captioning Only</u><br>(have transcript) | <u>Transcription</u><br><u>Only</u> | <u>Captioning &amp;</u><br><u>Transcription</u><br>(need transcript) | <u>Production</u><br><u>Transcripts</u><br>(time stamped) |
|--|---|-------------------------------------|--|---|
| Immediate Turnaround                   | \$1.48 / minute                             |                                     |  |   |
| Standard 3-day Turnaround <sup>5</sup> |   | \$1.60 / minute                     | \$3.08 / minute  | \$2.34 / minute   |
| RUSH 24-hour Turnaround <sup>5</sup>   |   | \$2.16 / minute                     | \$3.64 / minute  | \$2.90 / minute   |

Prices are per minute of media.

**Bulk pricing is available for purchases of more than 20 hours; contact us for details.**

1. AST will endeavor to caption all content submitted to our system, but content with excessive music or noise may not be captionable by the AST system. Captioning charges only apply for successfully captioned content; failed captioning attempts do not incur caption fees. If you request a transcript, and your content is not captionable, you will receive only the transcript, and you will be billed only for the transcription portion of the fee.
2. Billing resolution is one minute; all submissions are rounded up to the next nearest minute.
3. On approval of credit, terms are Net 30. Invoices are issued monthly.
4. AST makes many caption output formats available; there are no additional charges for requesting and receiving multiple output formats for submission.
5. The turnaround time for transcription is normally less than three business days. RUSH transcription is one business day.
6. Pricing is for caption and/or transcript files for media content that has been electronically submitted to CaptionSync. Call us if you need assistance with other aspects of captioning, including digitization of analog media, audio extraction for formats not supported automatically by our website, or encoding of the final media (which may be required for some media formats).
7. You may pre-purchase time on the CaptionSync server in order to take advantage of volume discounts or if you do not have credit approval with us. Pre-purchased CaptionSync time is non-refundable and expires five years after purchase if not used. The minimum transaction for pre-purchase is \$75.
8. Prices are valid through June 30, 2012.
9. All prices are in US Dollars.



Computer Prompting & Captioning Co.

1010 Rockville Pike, Suite 306  
Rockville, Maryland 20852-1419, USA  
301-738-8487 • FAX 8488 • TTY 8489  
[info@cpcweb.com](mailto:info@cpcweb.com) • [www.cpcweb.com](http://www.cpcweb.com)

DATE: 04/23/2012  
Fed ID#: 52-1911964

### **PROPOSAL FOR A CAPTIONING SERVICE**

To:  
Dick High  
Lima Baptist Temple  
982 Brower Rd.  
Liam, Ohio 45805

Regular Price:

|   |  |          |          |
|---|--|----------|----------|
| 1 | 2 Day turnaround – 60 minute file transcription and captioning. Client to provide the HD mpeg2 file to be captioned. CPC will deliver the provided HD mpeg file, with embedded captions. | \$810.00 | \$810.00 |
|---|--|----------|----------|

Volume Discount - 15% Off

|   |  |          |          |
|---|--|----------|----------|
| 1 | 2 Day turnaround – 60 minute file transcription and captioning. Client to provide the HD mpeg2 file to be captioned. CPC will deliver the provided HD mpeg file, with embedded captions. | \$688.50 | \$688.50 |
|---|--|----------|----------|

Discount – Weekly show pricing (50% off when committing to a 52 week contract):

|   |  |          |          |
|---|--|----------|----------|
| 1 | 2 Day turnaround – 60 minute file transcription and captioning. Client to provide the HD mpeg2 file to be captioned. CPC will deliver the provided HD mpeg file, with embedded captions. | \$405.00 | \$405.00 |
|---|--|----------|----------|

\*Turn-around time will be counted from the day the project materials have been received in full by 5PM Eastern time (orders and assets received after 5PM Eastern will be processed the next business day).

This proposal is valid for 90 days.  
To place your order, please fill out this online order form:

[https://www.cpcweb.com/order/service/service\\_form.html](https://www.cpcweb.com/order/service/service_form.html)

Prepared by Matt Olman  
(301) 738-8487  
[service@cpcweb.com](mailto:service@cpcweb.com)

*For over 25 years, CPC has been meeting the closed captioning needs of thousands of organizations, both large and small. Our captioning software and services bring you the benefits of that long experience. Most importantly, with an unequaled history of captioning software breakthroughs, your CPC software will never become obsolete.*